

Date Posted: October 12, 2012

CITY OF EAST PROVIDENCE

RHODE ISLAND

DOCKET OF REGULAR COUNCIL MEETING

October 23, 2012

**Council Chambers, City Hall, 145 Taunton Avenue, East Providence,
RI 02914**

7:00 P.M. Executive Session, Room 101

7:30 P.M. Open Session

I. EXECUTIVE SESSION

The City Council of the City of East Providence will meet in Executive Session pursuant to RI General Laws § 42-46-5 (a) (2) and RI General Laws § 42-46-5 (a) (3)

A. New Claims

- 1. Philip & Patricia Abbatomarco**
- 2. Tina Benros**
- 3. Robert Gomes**
- 4. Anthony Rose**

B. Litigation

- 1. Tabatha Glavin vs City of East Providence**
- 2. R.I. Council 94 and City of East Providence GR: Albert Quattrucci Termination**

II. CALL TO ORDER

III. SALUTE TO THE FLAG

IV. TO APPROVE THE CONSENT CALENDAR

All items under “CONSENT CALENDAR” are considered to be of a routine and noncontroversial nature by the City Council and will be enacted by one motion. There will be no separate discussion on these items unless a Council member so requests, in which event, the item will be removed from the “CONSENT CALENDAR” and will be considered in its normal sequence on the docket.

A. Letters

- 1. Coastal Resources Management Council October 2012 Calendar.**
- 2. Letter of resignation from Michael Bernstein from the Economic Development Commission.**
- 3. Notice of Coastal Resources Management Council Administrative Procedures Act change proposals.**
- 4. Notice of Coastal Resources Management Council Semi Monthly Meeting, Tuesday, October 9, 2012.**
- 5. Notice of RI Ethics Commission consideration of proposed regulation regarding out of state travel.**
- 6. Notice from RI DEM regarding an aquatic ecosystem restoration project to restore fish migration to the lower Ten Mile River via construction of a fish ladder.**

B. Alcoholic Beverage Class F

1. Maria F. Lacerda, 17 Health Street (02914), St Martha's Church, Portuguese Night, November 3, 2012.

C. Alcoholic Beverage Class F-1

1. St. Francis Xavier Church, 160 Orchard Street (02914), Fundraiser for Police Officer recovery (East Providence), October 20, 2012.
2. St. Francis Xavier Church, 160 Orchard Street (02914), Calendar Dinner and Dance (Youth Ministry), November 10, 2012.
3. St. Francis Xavier Church, 160 Orchard Street (02914), Portuguese School Christmas Party, December 2, 2012.

D. Council Journals

1. Regular Meeting October 2, 2012

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

V. PUBLIC COMMENT

VI. LICENSES REQUIRING PUBLIC HEARING

A. Annual Alcoholic Beverage Renewals

CLASS A (RETAILER)

Barrington Liquors, Inc. 618 Warren Avenue

Clift's Liquors, Inc. 191 Willett Avenue

Cozy Corporation dba Brookfield Liquors 470 North Broadway

**Liquor Depot East Providence, Inc. dba Wine & Spirits Depot 1925
Pawtucket Avenue Suite #5**

Marvic Enterprises, Inc. dba Jordan's Liquors 199 Taunton Avenue

McGreens Fine Wine & Spirits, Inc. 1086 Willett Avenue

Riverside Liquors, Inc. 225 Bullocks Point Avenue

Town Liquor Co., Inc. dba Town Wine & Spirits 179 Newport Avenue

Warren Avenue Liquor Market, Inc. 208 Warren Avenue

B-FULL PRIVILEGE (VICTUALING)

141 Corp dba Uncle Tony's Pizza & Pasta 141 Newport Avenue

Agipari Enterprises Inc. dba Roosters Grill 664 Bullocks Point Avenue

Avenue N Restaurant Group, LLC dba Avenue N 20 Newman Avenue

B. Pinelli, Inc. dba B. Pinelli's 736 North Broadway

Ban Chiang, Inc. dba Siam Square Restaurant 1050 Willett Avenue

Broadway Lounge, Inc. dba Merrill Lounge 535 North Broadway

Cape Verdean Progressive Center 329 Grosvenor Avenue

Centre Court Inc., dba The Loft 55 Hospital Road

Chelo's of East Providence, Inc. 911 Warren Avenue

Chelo's of Newport Avenue, Inc. 45D Newport Avenue

**China Gourmet, Inc. dba China Gourmet Restaurant 181 Willett
Avenue**

**Cilantro Mexican Grill, LLC dba Cilantro Mexican Grill 430 Newport
Avenue**

Comedy Connection of RI, Inc. dba Comedy Connection 39 Warren Avenue

D L Enterprises, Inc dba East Bay Tavern 305 Lyon Avenue

Davenport's Bar & Grill, Inc. dba Davenport's Restaurant 1925 Pawtucket Avenue

Dolces Restaurant, Inc. dba Bovi's Town Tavern 287-289 Taunton Avenue

East Providence House of Pizza, LLC 187 Willett Avenue

East Providence Yacht Club, Inc. 9 Pier Road

El Azteca Mexican Restaurant, LLC dba El Azteca Mexican Restaurant 335 Newport Avenue

Golden Dragon, LLC dba Young China Restaurant 250 Warren Avenue

Hibachi Grill Supreme Buffet, Inc. 58 Newport Avenue

Holy Ghost Beneficial Brotherhood of Rhode Island 51 North Phillips Street

Holy Ghost Brotherhood of Charity 59 Brightridge Avenue

Ichigo Ichi, LLC dba Ichigo Ichie 5 Catamore Boulevard

K&G Enterprises, Inc. dba Restaurant La Camelia 92 Waterman Avenue

Lane Foods Company, LLC dba Gregg's Restaurant 1940 Pawtucket Avenue

Lees Restaurant and Lounge, Inc. dba Lees Restaurant and Lounge 376 Bullocks Point Avenue

Lincoln Bar & Grill, Inc. 24 Monroe Avenue

Little Lucy's Lunch, Inc. dba Red Bridge Tavern 22 Waterman Avenue

Loggia Luce Moderna 1112 99 Hicks Street

Lucky's American Bar & Grille, Inc. 1175 Warren Avenue

Mathias Enterprises, LTD dba Campino Restaurant & Sports Bar 218 Warren Avenue

Milho, Albertino dba Al's Place 28 Water Street (First Floor)

Milho, Albertino R. dba Madeira Restaurant 288-290 Warren Avenue

Milho, Albertino dba Milho Waterfront Banquet Hall 28 Water Street (Second Floor)

Our Place on North Broadway, LLC 525 North Broadway

P&G Bowling, Inc. dba East Prov Bowling Ctr. 80 Newport Avenue

Paiva's Restaurant Corp. dba O'Dinis Restaurant & Tavern 579 Warren Avenue

Pepper Dining, Inc. dba Chili's Grill & Bar 50 Highland Avenue

Portuguese American Athletic Club 281 Warren Avenue

PRPS, Inc. dba 2 Pauls 315 Waterman Avenue

Pub Ventures, Inc. dba Mulhearn's Pub 507 North Broadway

PWRPJ, Inc. dba Rockin' Times 478 Waterman Avenue

Riviera Inn Dining and Banquet Company 580 North Broadway

SAZ, Inc. dba Town Pizza & Family Restaurant 949 Willett Avenue

Square One, LLC dba Oxford Tavern 446 Waterman Avenue

St. Angelo's Inc. dba St. Angelo's 1235 Wampanoag Trail

T&T'S 133 Club, Inc. dba 133 Club 29 Warren Avenue

Town Pub, Inc. 311 Taunton Avenue

Tropical Ilhas, Inc. 472 Waterman Avenue

Watchemoket Bar, Inc. dba Watchemoket Bar 31 Warren Avenue

C (SALOON)

Quattrucci, Carl & Arthur dba Monforte's Bar 493 Waterman Avenue

D-FULL PRIVILEGE

Agawam Hunt 15 Roger Williams Avenue

Columbus Club of Barrington 1 Viola Avenue

Columbus Club of East Providence 3200 Pawtucket Avenue

East Providence Athletic Club 118 Mauran Avenue

East Providence Fraternal Order of Eagles 1773 334 Waterman Avenue

East Providence Lodge of Elks 2337 60 Berkeley Street

Holy Ghost Brotherhood Mariense 846 Broadway

Metacomet Country Club 500 Veterans Memorial Parkway

Riverside Post Holding Co., Inc. 830 Willett Avenue

Riverside Sportsmans Association 1 Sportsman Drive

Squantum Association Squantum Club 947 Veterans Memorial Parkway

Teofilo Braga Club 26 Teofilo Braga Way

Trinity Brotherhood 146 Sutton Avenue

Wannamoisett Country Club 96 Hoyt Avenue

B-LIMITED (VICTUALING)

Ava Keros, Inc. dba Zoe's Pizza and Seafood 1022 South Broadway

Boston House of Pizza, Inc. 540-542 Taunton Avenue

Bowling Academy, Inc. 354 Taunton Avenue

Chen, Yun Yan dba Mei Sing Chinese Restaurant 2827 Pawtucket Avenue

East Providence Persy's Place, LLC dba Persy's Place 140 Newport Avenue

E B Dragon, LLC dba East Buffet Restaurant 52 Narragansett Park Drive

Farnsworth Café, LLC dba Farnsworth Cafe 302 Willett Avenue

Horton's Seafood, Inc. dba Horton's Seafood 809 Broadway

Jeon, Il Sun dba Sun & Moon Korean Restaurant 95 Warren Avenue

Jin Hua Chinese Restaurant, Inc. dba New Buffet Restaurant 1925 Pawtucket Avenue

JPCT Sports, LLC dba Tennis Rhode Island 70 Boyd Avenue

Pazi's Place, LLC dba Pazi's Place 380 Taunton Avenue

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

B. Pawnbroker

1. The Gold Advance, Inc. DBA The Gold Loan Co., 329 Warren Avenue (02914), Dan Rocco Baldelli, 81 Windsong Road, Cumberland (02864).

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

C. Secondhand Miscellaneous

1. The Gold Advance, Inc. DBA The Gold Loan Co., 329 Warren Avenue (02914), Dan Rocco Baldelli, 81 Windsong Road, Cumberland (02864).

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

VII. LICENSES NOT REQUIRING PUBLIC HEARING

A. Holiday Sales

1. The Gold Advance, Inc. DBA The Gold Loan Co., 329 Warren Avenue (02914), Dan Rocco Baldelli, 81 Windsong Road, Cumberland (02864).

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

VIII. PUBLIC HEARING - ORDINANCES FINAL PASSAGE

A. An ordinance amending no parking on Bentley Street.

AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”

SECTION I. Section 18-307 entitled “Parking prohibited at all times.” of Article X entitled “Stopping, Standing and Parking.” of Chapter 18 of the Revised Ordinances of the City of East Providence, Rhode Island, 1998, as amended, entitled “Vehicles and Traffic.” is amended by adding thereto the following:

Bentley Street (east side) from Mauran Avenue to Juniper Street

SECTION II. This ordinance shall take effect upon its second passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Requested by: Mayor Rogers

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

IX. NEW BUSINESS

A.City Managers Report (by City Manager Peter Graczykowski)

1. Departmental Activity Update

2. FY12-13 Budget Presentation

B.Reports of Other City Officials

1. Claims Committee Report (by Solicitor Orlando Andreoni)

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

2. 7th Annual Freaky 5K Road Race (by Fire Chief Joseph Klucznik)

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

3. School Committee Update (by Council Liaison School Committee Member Chrissy Rossi)

C. Council Members

1. Bi-Weekly Update (by Mayor Rogers)

- Cleanup of the Runnins Rivers
- Status of Audit Management Letter
- Other Issues

2. Update on Community Garden Committee (by Assistant Mayor Rose)

3. Reminder of the Labor Day Parade Committee Meeting (by Assistant Mayor Rose)

4. Law Department (by Assistant Mayor Rose)

5. Police Contract (by Assistant Mayor Rose)

D. Resolutions

1. A Resolution in support of overturning the United States Supreme Court Ruling in Citizens United vs. Federal Election Commission

WHEREAS, we the people adopted and ratified the United States Constitution to protect the free speech and other rights of people; and

WHEREAS, corporations are legally people and are entities created by the law of states and nations; and

WHEREAS, for the past three decades, a divided United States Supreme Court has erroneously transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate the people's laws; and

WHEREAS, this corporate misuse of the First Amendment and

Constitution has reached an extreme conclusion in the United States Supreme Court's ruling in Citizens United vs. Federal Election Commission; and

WHEREAS, Citizens United v. Federal Election Commission overturned longstanding precedent prohibiting corporation from spending corporate general treasury funds in our elections; and

WHEREAS, Citizens United v. Federal Election Commission unleashes a torrent of corporate money in our political process unmatched by any campaign expenditure totals in United States history; and

WHEREAS, Citizens United v. Federal Election Commission purports to invalidate state laws and even state constitutional provisions separating corporate money from elections; and

WHEREAS, Citizens United v. Federal Election Commission presents a serious and direct threat to our republican democracy; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people and states of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican self-government; and

WHEREAS, the people and states of the United States of America have strengthened the nation and preserved liberty and equality for all by using the amendment process throughout our history, including in seven of the ten decades of the 20th century and including to reverse seven erroneous Supreme Court decisions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City

of East Providence calls upon the United States Congress to pass and send to the states for ratification a constitutional amendment to reverse Citizens United v. Federal Election Commission and to restore constitutional rights and fair elections to the people.

This resolution shall become effective upon its passage.

Requested by: Councilwoman Kleyla

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

E. Introduction of Ordinances

- 1. An ordinance regarding a stop sign on Burnside Avenue at Harris Street.**

AN ORDINANCE IN AMENDMENT OF CHAPTER 18 OF THE REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE, RHODE ISLAND, 1998, AS AMENDED, ENTITLED “VEHICLES AND TRAFFIC”

SECTION I. Section 18-269 entitled “Stop and yield intersections designated; when stops required” of Article IX entitled “Stop Intersections” of Chapter 18 entitled “Vehicles and Traffic” is amended by adding thereto the following:

Burnside Avenue (westbound traffic) at Harris Street

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Requested By: Assistant Mayor Rose

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

D. Communications

1. Freddie Rybka, 9 Cozzens Avenue (02915) requesting to address the Council regarding the deterioration of the infrastructure of the City.

X. ADJOURNMENT

Motion___By___2nd___

Conley___DiGioia___Kleyla___Rose___Rogers___

*** Any items listed on the Council Docket may be subject to a vote.**

***If communications assistance is needed or any other accommodations to ensure equal participation please contact the City Clerk's Office at 435-7590.**